

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOLENGO CAPITAL ADVISORS ULC,

Plaintiff,

v.

DEAD HORSE MEDIA LLC, DEALBREAKER,
ELIZABETH SPIERS, JOHN CARNEY, BESS
LEVIN, JOHN DOE AND JANE DOE,

Defendants.

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07 Civ. 2657 (DLC)
ECF Case

**DECLARATION OF
JONATHAN D. COGAN**

JONATHAN D. COGAN, pursuant to 28 U.S.C. § 1746, hereby declares under the penalties of perjury that the following statements are true and correct:

1. I am an attorney from the law firm of Kobre & Kim LLP and am admitted to practice in the United States District Court for the Southern District of New York. In this action, I represent plaintiff Solengo Capital Advisors ULC ("Solengo") and submit this declaration in support of Solengo's memorandum of law in opposition to the Defendants' Motion to Dismiss.

2. Attached as Exhibit A is a true and correct copy of Solengo's certificate of registration for the Solengo Investor Prospectus, as issued by the Copyright Office on June 7, 2007.

3. Attached as Exhibit B is a true and correct copy of a DealBreaker.com posting entitled "Solengo's Lawyers Strike Back: We Still Say Suck It," as captured from the Internet on or around March 30, 2007 at 12:59 p.m.

4. Attached as Exhibit C is a true and correct copy of a DealBreaker.com posting entitled "Solengo Seeks Court Order To Strip DealBreaker Of Brochure," as captured from the Internet on or around April 1, 2007 at 11:37 a.m.

5. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed the 25th day of June, 2007, at New York, New York.


